

**DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR SUBDIVISION APPROVAL
THE ORCHARDS**

**ORIENT, TOWN OF SOUTHOLD
SUFFOLK COUNTY, NEW YORK**

PROJECT LOCATION: 13.3± Acres located at 2595 Orchard Street, on the northeast side of Orchard Street 17' northwest of Platt Road, Orient

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AVAILABILITY OF DOCUMENT: This Draft Environmental Impact Statement (DEIS) was prepared in accordance with 6 NYCRR §617.9. Copies are available for public review and comment at the office of the Lead Agency. A copy of the DEIS is also available for review at the Floyd Memorial Library located at 539 1st Street, Greenport, NY 11944, and the document is available online at <http://www.southoldtownny.gov>.

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1. EXECUTIVE SUMMARY

1.1 INTRODUCTION

In accordance with 6 New York Code of Rules and Regulations (NYCRR) Part 617.9, a Draft Environmental Impact Statement (DEIS) has been prepared and is presented herein. The preparation of a DEIS was necessitated by the Positive Declaration issued by the Town of Southold Planning Board dated July 7, 2015.

The project consists of a proposed cluster subdivision of 13.3025±acres of land identified as District 1000 Section 27 Block 1 Lot 3 on the Suffolk County Tax Map. The property has street address 2595 Orchard Street, Orient located within the Township of Southold, County of Suffolk, State of New York. The subject property has 837± feet (non-continuous) along the North side of Orchard Street beginning at a point 17±feet West of Halyoake Avenue. The subject property is located within an agricultural district and was used as farmland to grow crops. The property is undeveloped and has sat fallow since the early 2000's.

The subject property subdivision shall yield five parcels with five single family residential homes. The majority of the subject property (i.e. 60%) shall be protected from future development by an open space conservation easement. That portion of the subject property is intended to be used for farming crops. An agricultural barn would be erected to support the farmland use. Vehicular access to the proposed parcels shall be from Orchard Street. In order to minimize land disturbance, proposed parcels 2 and 3 shall have shared access driveways.

A summary of project attributes are as follows:

Table 1 – Existing and Proposed Physical Site Data

Parameter	Existing (acres)	Proposed (acres)
Total property area	13.3025	13.3025
Area of Buildings (footprint)	0	0.2927
Area of impervious/semi-impervious surfaces (driveways, sidewalks, patios, swimming pools)	0	0.8264
Area of active agricultural farmland	0	7.983 (productive)
Area of open space (native vegetation, turf grass, landscaping)	13.3025	4.2004
Total	13.3025	13.3025

Table 2 – Existing and Proposed Socioeconomic Site Data

Parameter	Existing	Proposed
Potable water	0	1,500 gallons per day
Sanitary wastewater	0	1,500 gallons per day
Irrigation water	0	Variable; Rate and volume per NYSDEC approved irrigation well permit
Residents	0	12
Total property taxes	\$2,949	\$52,997.00
School district property tax	\$1,223	\$21,983.22

The agricultural soils present on site will remain and be used to grow crops, bushes, trees, turf grass lawns, native vegetation, and landscape plantings. Soil lying within the proposed impervious surface areas shall be stockpiled and redistributed on site for the purpose of re-grading.

The subject property is not located within a Special Groundwater Protection Area. The proposed single family residential homes shall be served by private water supply wells as a public water supply is not available. The water from the wells shall require treatment to reduce certain contaminants to below the limits established by the New York State Sanitary Code. The Suffolk County Department of Health Services (SCDHS) has granted approval for the potable water supply described.

The proposed single family residential homes will use conventional on-site sanitary wastewater disposal systems as a public sewer system is not available. Based on SCDHS design criteria, the subject property could yield up to thirteen new residential homes, although only five are proposed. The Suffolk County Department of Health Services has already granted approval for the siting and preliminary design of the five proposed sanitary systems.

The air quality is not anticipated to be significantly impacted by the project. Short term impacts may occur during the construction phase of the project.

Based on information from the New York State Department of Environmental Conservation, no significant vegetation or wildlife exist on the subject property.

The property is zoned R-80 by the Town of Southold and is located within an agricultural district. In order to mitigate land disturbance and maximize contiguous farmland acreage, the project has been designed as a cluster subdivision. This is also intended to optimize the farmland acreage into contiguous space for farming and optimize the scenic view shed from Orchard Street. Four of the five proposed homes will be located on the eastern portion of the subject property. The home associated with the farmland portion of the property will be located at the extreme northwest corner of the subject property, with the agricultural barn located immediately east of the proposed home. The central core of the property is intended to be used as active farmland.

The proposed five single family residential homes generate approximately six vehicle trip ends during the peak hour. The proposed parcels shall use the existing public roadway system (i.e. Orchard Street) for ingress/egress to the proposed parcels. Due to the limited number of homes being constructed, additional community services (such as school police, fire and ambulance) required by the homeowner's shall be minimal. The costs associated with these community services shall be substantially, if not fully, offset by the tax revenue generated through property taxes for the proposed homes.

More than 90% of the subject parcel shall remain as open space in the form of farmland, trees, brush, native vegetation, turf lawn and landscape plantings. The over-grown vegetation that exists along Orchard Street shall be eliminated to create view sheds across the entire parcel. The subject property does not have frontage along Halyoake Avenue. A strip of land approximately seventeen feet wide separates the subject property from

Halyoake Avenue. The over-grown vegetation that exists along the east property line shall be eliminated in an attempt to create view sheds from Halyoake Avenue. However, the seventeen foot wide strip of land not owned by the Applicant that borders Halyoake Avenue is over-grown with vegetation that blocks view sheds from Halyoake Avenue. Street trees shall be planted along Orchard Street, increasing the aesthetic attributes of the project. The archeological study undertaken on the property discovered no items of archeological significance on, or abutting, the subject property.

More than 90% of the agricultural soils will be used to grow crops, trees, brush, native vegetation, turf lawn and landscape plantings. While approximately 8% of the subject land area shall be covered with buildings and/or impervious/semi-pervious surfaces, the agricultural soils lying in those areas shall be preserved and re-distributed on-site. The proposed active farm use and residential homes shall require the use of fuels for equipment, heating, and electricity. The amount of resources used for this purpose shall be minimized by implementing best management practices for farm operations, and constructing energy efficient housing. Solid waste generated by the proposed residential homes is minimal. The cost of processing the solid waste shall be offset by the taxes paid to the Town's solid waste district.

Two alternatives were evaluated for the project; No Action and Preservation. The two alternatives are similar with regard to impacts. Both options result in the benefits of the proposed project being lost. The potential benefits lost in the alternatives considered include:

- Protection of agricultural land from future development
- Return of approximately 8 acres (60% of the subject property) to productive agricultural land
- Improve quality of scenic view sheds across the subject property from the abutting public roadways
- Substantial tax revenue from five new single family homes with minimal need for additional community services
- Reduction of existing Aldicarb groundwater contamination
- Creation of jobs during the construction process, farming operations and regular maintenance of houses, lawns and properties.
- Provide new modestly sized residential housing
- Provide new energy efficient residential housing

2.0 PROJECT DESCRIPTION

2.1 PROJECT BACKGROUND, DESCRIPTION & DESIGN

The project consists of a cluster subdivision of 13.3025±acres of land identified as District 1000 Section 27 Block 1 Lot 3 on the Suffolk County Tax Map. The subject property has street address 2595 Orchard Street, Orient located within the Township of Southold, County of Suffolk, State of New York on the North Fork of Long Island (see Figure 1).



Figure 1 – Regional Location Map

The subject property is located at the north side of Orchard Street beginning at a point approximately seventeen feet west of Halyoake Avenue (see Figure 2).



Figure 2 – Location Map

It has 837± feet of frontage (non-continuous) along the north side of Orchard Street.

Based on the Town of Southold “Town Farm and Farmland Protection Strategy” (Town of Southold, Peconic Land Trust 2000) the property was farmed until approximately 2001. The report indicates rye was grown on the subject property. The property has been fallow for many years, sparsely dotted by trees and primarily covered by scrub brush and grassy vegetation (see Figure 3).



Figure 3 – Aerial Photograph Circa 2011

The topography of the parcel is gently sloping with a change in grade of approximately eight feet across the property.

As of May 1970, the property was owned by Peter J. Meyer Jr.. In July 2004 the estate of Peter J. Meyer Jr. sold the property to at least one descendent, who subsequently sold the property to the Applicant¹ in August 2005. The property has primarily remained unused since title was transferred in August 2005.

A sketch plan for the proposed subdivision map was filed with the Town of Southold circa July 2013. In response to comments from the Town, the applicant made two revisions to the proposed subdivision map. Conditional approval of the sketch plan was received from the Town of Southold Planning Board circa March 2014. The formal subdivision map was filed with the Town of Southold circa December 2014. A public hearing was held by the Town of Southold circa April 2015. On July 6, 2015 the Town of Southold Planning Board issued a SERQA Positive Determination (see Appendix A). The subdivision map upon which the Town Planning Board relied in making its Positive Declaration (map last revised January 21, 2015) is included in Appendix B. As part of DEIS preparation, an evaluation of the proposed subdivision map was made to identify changes that could be made to mitigate potential impacts. In order to be consistent with the Town of Southold Local

¹ The Applicant refers collectively to Steven A. Martocello and the company which he is the primary stakeholder in, i.e. East End Holding Company, LLC

Waterfront Revitalization Program (Town of Southold 2004), the building envelope setbacks on proposed lots 2 and 4 to the proposed open space were increased to 50 feet. The revised setbacks and building envelopes are depicted on the Existing Resource and Site Analysis Plan last revised November 18, 2017 (see Appendix C).

The proposed subdivision is based on a clustered design, intended to maximize preservation of open space and farmland. The eastern portion of the subject property is intended for development of single family residential homes. The southern mid-section of the property abuts an existing residential home located along Orchard Street. Residential single family homes and undeveloped land abut the subject property along the northern property line. Undeveloped property abuts the subject property along the westerly property line.

The subject property is to be subdivided into five lots as follows:

Lot 1 - 9.3356 acres (7.983 Open Space & 1.3526 acres Buildable)

Lot 2 – 0.987 acres

Lot 3 – 1.143 acres

Lot 4 – 0.9184 acres

Lot 5 – 0.918 acres

Proposed Lot #1 consists of two distinct sections. The first section is a 1.3526 acre parcel located at the northwest corner of the subject property, abuts the adjacent property to the North, and is configured as a “flag” lot. The lot is intended for construction of a single family residential home. The primary core of this section is accessible via a 16 foot wide strip of land (part of the 1.3526 acres) that connects Orchard Street to the primary core of this section. The second section of proposed Lot #1 occupies the majority of the western half of the subject property and abuts the adjacent property to the North. This section shall be used for Open Space. A sample Open Space Conservation Easement specific to the subject site has not been received from the Town. However, a sample document was received and is included in Appendix D. This portion of proposed Lot #1 also contains an area located along the northerly boundary of the property earmarked for future construction of an agricultural barn.

Proposed Lot #2 is a 0.987 acre parcel located in the mid-easterly section of the subject property and abuts the adjacent property to the North. The lot is intended for construction of a single family residential home. The lot is accessible via a 25 foot wide easement that connects the proposed lot to Orchard Street.

Proposed Lot #3 is a 1.143 acre parcel located at the northeast corner of the subject property and abuts the adjacent property to the North. The lot is intended for construction of a single

family residential home. The lot is accessible via a 25 foot wide easement that connects the proposed lot to Orchard Street.

Proposed Lot #4 is a 0.9184 acre parcel located in the mid-easterly section of the subject property and abuts Orchard Street. The lot is intended for construction of a single family residential home.

Proposed Lot #5 is a 0.918 acre parcel located in the southeast corner of the subject property and abuts Orchard Street. The lot is intended for construction of a single family residential home.

2.2 PROJECT PURPOSE, NEED, AND BENEFITS

The purpose of the project is to preserve a significant portion of the subject property as Open Space and return it to being a productive agricultural property while providing the opportunity to construct a small number of single family homes to provide needed housing and provide the financial resources necessary to maintain ownership and maintenance of the Open Space area. When the subject property is viewed in its entirety, development of single family housing on the proposed five parcels is consistent with the density limits of the R-80 zoning District in which the subject property lies.

Tax Benefits-

The proposed five single family homes shall provide the Town of Southold, and the school district, with a significant increase in tax revenue while creating minimal demand for extra community services. The following property taxes, as obtained from the 2019/20 rate schedule, apply to the subject property:

District name	Tax Rate
School 473802 – Orient	370.712
Library	51.009
Southold Town	320.398
MTA Payroll Tax	0.597
NYSRPTL	8.673
Out of Cty SCCC	1.138
Suffolk County	17.903
FD025 Orient Fire District	88.674
PK065 Orient-E. Marion Park District	2.986
OM060 Orient Mosquito District	11.978
SW011 Solid Waste District	19.642

Total Tax Rate	893.710 per \$1,000 of assessed value
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Based on the 2019 Final Assessment Roll, the subject property had a total assessed value of 3,300, all of which was attributable to the vacant land. Therefore, the tax revenue generated by the subject property as it exists is:

School District	\$1,223.35
Town of Southold	\$1,057.31
Town Districts and Services	\$575.15
All Other	\$93.43
Total Annual Tax Revenue	\$2,949.24

In order to determine the assessed value for the constructed project, an inquiry was filed with the Town of Southold Tax Assessors office requesting a preliminary assessed value for the proposed five lots and the associated structures. For the purpose of the preliminary tax assessment, each lot would be developed with a 3,500 square foot two story, single-family wood framed dwelling. The Town Assessor provided the following preliminary assessed values (see Appendix X):

- Lot 1: Total 12,800 ; Land 2,800; Improvements 10,000
- Lot 2: Total 11,600 ; Land 1,600; Improvements 10,000
- Lot 3: Total 11,700 ; Land 1,700; Improvements 10,000
- Lot 4: Total 11,600 ; Land 1,600; Improvements 10,000
- Lot 5: Total 11,600 ; Land 1,600; Improvements 10,000

Based on the preliminary assessment values, the subject property has a cumulative total assessed value of 59,300. Using the 2019/20 tax rates, the constructed project shall generate the following annual tax revenue:

School District	\$21,983.22
Town of Southold	\$18,999.60
Town Districts and Services	\$10,335.34
All Other	\$1,678.84
Total Annual Tax Revenue	\$52,997.00

A comparison of the tax revenue from the undeveloped land versus the developed land, reveals the project shall increase the annual tax revenue by a total of \$50,047.76. The breakdown of the tax revenue increase is as follows:

School District	\$20,759.87
Town of Southold	\$17,942.29
Town Districts and Services	\$9,760.19
All Other	\$1,585.41
Total Increase in Annual Tax Revenue	\$50,047.76

Reduction of Groundwater Contaminants Benefit-

The groundwater underlying the subject property contains concentrations of certain contaminants in excess of New York State Drinking Water Standards (New York State Department of Environmental Conservation 2020), i.e. Nitrates, Aldicarb-Sulfoxide and Aldicarb-Sulfone. Groundwater will be used to supply domestic water to each of the proposed five dwellings. The potable water supplied from each of the wells will be treated to reduce the concentration of the three contaminants to below drinking water standards. When the used domestic water is discharged from the homes, the total concentration of each contaminant shall be reduced from what the influent would have been if no treatment were in place. Each of the five dwelling water treatment systems effectively act as a “pump and treat” remediation system, thereby aiding in improving the groundwater quality.

Job Creation Benefit-

Development of the project shall create additional jobs in farming, construction and maintenance of the five houses and associated properties. With regard to the number of jobs created during the construction process, a 1980 study by the Bureau of Labor Statistics indicates (Ball 1981), for single-family, private housing construction, 22,000 jobs are created for every billion dollars of construction. Based on the estimated construction cost for the project, a total of 22 full time equivalent² jobs shall be created across all industries.

In order to project the number of jobs created by the proposed project, a construction cost estimate is necessary. The construction cost estimate can be broken down into three basic categories: land preparation, housing and related infrastructure, and agricultural barn and related infrastructure. The following detailed estimates were prepared for each category:

² Full time equivalent is based on 1,800 employee hours per year for on-site construction; 2,000 hours per year for off-site construction; 2,089 hours per year for manufacturing; 1,795 hours per year for trade, transportation, and services; and 2,041 hours per year for all other industries.

Land Preparation- The cost of preparing the land includes clearing and grubbing the fallow land, cutting and chipping trees, grub and remove stumps, and clearing with construction and farming equipment including a brush rake. A detailed estimate for the cost of these services was prepared using data from the R.S. Means Building Construction Cost Data 2015 (R.S. Means 2014). The unit price data was then modified to reflect an adjustment for location and for time (as 2020 is the base year for all analyses).

R.S. Means Item 31 11 10.10 0020; Clear and grub site by cutting and chipping light trees to maximum 6" diameter – Estimated cost \$4,775/acre

R.S. Means Item 31 11 10.10 0150; Clear and grub stumps including removal – Estimated cost \$ 2,215 per acre

R.S. Means Item 31 13 13.10 0500; Selective clearing with a bulldozer and brush rake for light density of brush – Estimated cost \$261/acre

R.S. Means Item 02 41 19.19 0840; Dumpster weekly rental, 40 C.Y. (10 tons), 1 dump per week – Estimated cost \$850 per week; Estimate minimum 4 dumpsters required per acre; (4 dumpsters/acre) x \$850 per dumpster = \$3,400 per acre

Location factor 1.219; Historical time factor 1.138 to convert 2015 data to 2020 data

$(\$4,775 + \$2,215 + \$261 + \$3,400/\text{acre}) \times 1.219 \times 1.138 \times 13.3 \text{ acres} = \mathbf{\$196,512}$

Home construction-

Estimated size of each dwelling - 3,500 SF

NAHB 2019 data (Ford 2020) shows average 2,594 SF home cost \$296,652 (\$114.36/SF) which includes infrastructure. Looking at the cost sub-categories presented in the NAHB study, the costs are low compared to our region. Based on professional experience, \$150/SF is a more realistic, yet conservative, estimate.

Estimated cost to construct each home including infrastructure \$150/SF x 3,500 SF = \$525,000 per home

5 homes x \$525,000 = **\$2,625,000**

Construction of Agricultural Barn-

Estimated size 4,000 SF x \$75/SF = **\$300,000**

Total construction cost = \$196,512 + \$2,625,000 + \$300,000 = **\$3,121,512 in 2020 dollars**

Bureau of Labor Statistics Consumer Price Index (Webster 2020) states \$100 in 1980 dollars are equivalent to \$313.93 in 2020 dollars. Therefore \$3,121,512 is equivalent to **\$996,504 in 1980 dollars**

Total FTE jobs created (22,000 jobs/\$1,000,000,000) x \$996,504 = 22 FTE jobs for 1 year

Creation of Energy Efficient Homes Benefit-

The proposed single-family homes shall be constructed in accordance with the current applicable New York State Code (International Code Council Inc., New York State Department of State 2019). Such construction provides superior energy conservation, when compared to the majority of existing older homes, while providing necessary residential housing. The building thermal envelope provides superior insulation values. The appliances, hot water heating system and HVAC system shall all adhere to the latest efficiency standards, thereby reducing the amount of energy consumed.

2.3 Existing Conditions

The subject property lies fallow (see Figure 4).



Figure 4 – Aerial Photograph Circa 2019

Town documentation (Town of Southold, Peconic Land Trust 2000) shows the property has not been actively farmed since the early 2000's. The southwest and western section of the subject property is primarily covered with crab grass, scrub brush and weeds. The northern half, and the eastern section, of the subject property are primarily covered with scrub brush, saplings, small trees, crab grass and weeds.

A dirt access roadway exists along the entire northerly property line, as well a portion of the easterly property line. The southern end of the dirt roadway terminates near the intersection of Orchard Street and Halyoake Avenue. The northern end of the dirt roadway terminates at the extreme northwest corner of the subject property. A cleared area approximately 3,100 square feet in size exists in the central northern section of the

property. It is accessed via several narrow dirt pathways that run through the property and connect to the larger dirt roadway. A cleared dirt area approximately 3,000 square feet in size exists in the western section of the property. The cleared area is accessed via a narrow dirt pathway that runs south toward Orchard Street and connects to an access path on the adjacent property to the west.

2.4 Permits and Approvals

The approval process can best be represented as a two-phase process. The first phase is approval of the subdivision map. The second phase is approval for constructing the improvements depicted on the subdivision map. Multiple approvals and permits are required at the State, County and Local levels.

Phase 1- Subdivision Map Approval

The project is subject to review by the Suffolk County Planning Commission. The Suffolk County Planning Commission has reviewed the proposed project and determined it to be a matter for local determination (see Appendix E).

The Suffolk County Department of Health Services (SCDHS) must review and issue approval for the sub-division map (Suffolk County Department of Health Services 2018). The project was originally submitted to the SCDHS circa 2013. Since the original submission, the project has been resubmitted to the SCDHS, with modifications, on multiple occasions. The latest SCDHS review notice issued December 13, 2018 is presented in Appendix F. In order to address many of the SCDHS comments and proceed to the Suffolk County Department of Health Services Board of review, the Applicant prepared an updated subdivision map illustrating the information required by the SCDHS (last revised June 18, 2019 - see Appendix G) and refiled it with SCDHS. The updated subdivision map indicates the locations of the proposed sanitary systems and potable water supply wells. In addition the Applicant drilled two deeper potable water supply test wells that were subsequently sampled by the SCDHS. The results from the water sampling necessitated the Applicant to obtain a variance from the SCDHS Board of Review as the water quality did not conform to minimum drinking water standards (discussed elsewhere in this document). A variance allowing development of a five residential lot subdivision as shown on the proposed subdivision map with sanitary system and water supply well locations (Appendix G) was approved by the SCDHS Board of Review on December 17, 2019. The SCDHS variance approval is provided in Appendix H.

The Town of Southold must review and issue approval for the sub-division map (Town of Southold 2004). The project was originally submitted to the Town circa 2013. Since the original submission, the proposed subdivision map has been modified multiple times to address concerns raised during the review process. As part of the Town review, a Positive

Declaration was issued requiring preparation of this DEIS (see Appendix A). Appendix G embodies the last version of the proposed subdivision map layout filed with any jurisdictional agency with the additional SCDHS required information superimposed thereon. Upon acceptance of the DEIS, and a finding of no significant impact, the Town review of the subdivision map can be completed and approval issued.

Phase 2- Site Construction Approval

The disturbance of more than one acre of land for the purpose of construction requires obtaining a State Pollutant Discharge Elimination System Permit for Stormwater Discharges from Construction Activities from the New York State Department of Environmental Conservation (New York State Department of Environmental Conservation 2020). In order to obtain the permit, the entity disturbing the land is required to prepare a Stormwater Pollution Prevention Plan (SWPPP), as well as an Erosion and Sediment Control Plan. The purpose of the plans is to mitigate impacts associated with changing the volume and/or nature of the stormwater run-off from the subject property. The State permit requirements include approval of the SWPPP by the municipality responsible for the municipal storm sewer system (MS4) the subject property would be discharging to. The Town of Southold is the MS4 for the subject property. As such, prior to the NYSDEC review and approval of a stormwater discharge permit, the Town of Southold must also review the relevant plans and documents (Town of Southold 2012). Upon approval of the Stormwater Management Control Plan (SMCP) by the Town engineering department, the SMCP becomes part of the Planning Board's subdivision approval and approval of the MS4 is issued to the NYSDEC to enable issuance of the NYSDEC permit.

Construction of the proposed sanitary system and water supply well for each parcel requires approval by the SCDHS (Suffolk County Department of Health Services 2018). As each parcel is developed, the owner shall be required to prepare design plans and submit the appropriate applications for construction approval. The proposed subdivision map (see Appendix G) depicts the proposed sanitary system and water supply well layout for each parcel. Approval of the individual parcel design submittals by the SCDHS shall be ministerial provided the individual parcel design adheres to the design shown on the subdivision map and the conditions of the SCDHS Board of Review variance.

Construction of the dwellings on the individual parcels shall require building permits from the Town of Southold (Town of Southold 2006).

3.0 Natural Resources

3.1 Soils and Topography

According to the Soil Survey Geographic (SSURGO) Database (version 15, October 8, 2017) provided by the United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS 2017), the subject property consists of “HaA- Haven Loam, 0 to 2 percent slopes” (see Figure 5).



Figure 5 – USDA NRCS Soil Map

The Haven Series soil group consists of very deep, well drained soils formed over sandy and gravelly outwash. They are nearly level to moderately sloping soils of glacial outwash plains. The topography present on the subject property generally slopes toward the northeast-east (see Figure 6 for 5 foot topographic contour map from Suffolk County GIS), and are consistent with the description for Haven Series soil.

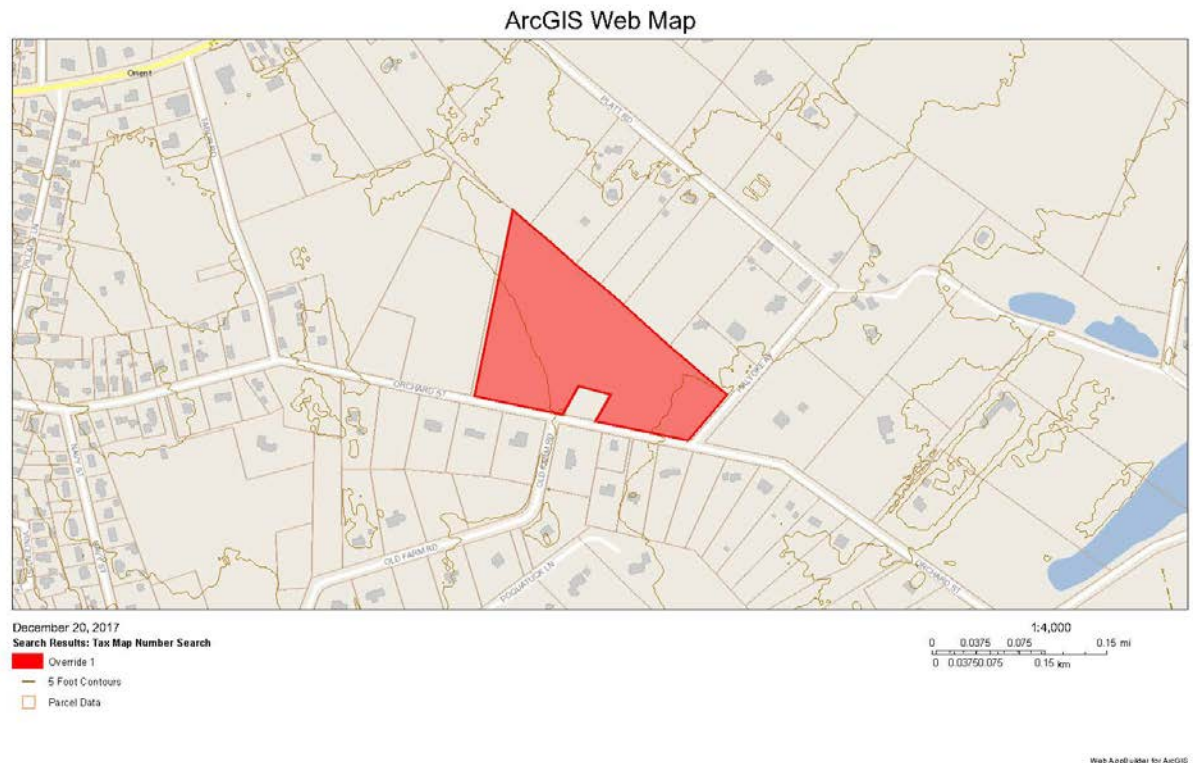


Figure 6 – SC GIS Tax Map With 5 Foot Contours

A detailed profile of this soil group is provided in Appendix I (USDA NRCS 2017).

This soil series is in hydrologic soil group “B”. According to Chapter 7, Part 630 of the National Engineering Handbook prepared by the USDA NRCS (USDA 2009), the “soils in this group have moderately low runoff potential when thoroughly wet. Water transmission through the soil is unimpeded.”

Soils are also classified by the New York State Department of Agriculture and Markets as required by Article 25-AA, §304-a of the New York State Agriculture and Markets Law. The “HaA” soil series is designated as Soil Group 1 by the New York State Department of Agriculture and Markets (New York State Agriculture and Markets 2017).

Loss of agricultural soil is a potential impact of the proposed project. However, the project has incorporated the following elements to avoid this potential impact:

- 60% of the subject property soil shall be used as agricultural land for crop growth
- 32% of the subject property soil shall be used for the growth of trees, bushes, turf lawn, native vegetation, and landscape plantings

- 8% of the subject property being covered by building and impervious/semi-pervious surfaces shall have the agricultural soils disturbed by the construction removed and re-distributed on-site for re-grading, thus conserving the agricultural soils.

3.2 Water

The subject site is not located within a Special Groundwater Protection Area or Critical Environmental Area identified on maps maintained by the New York State Department of Environmental Conservation (New York State Department of Environmental Conservation 1988).

The Suffolk County Department of Health Services is the primary agency responsible for protecting the groundwater and surface waters as it relates to the proposed project (Suffolk County Department of Health Services 2018). Article 6 of the Suffolk County Sanitary Code defines “Groundwater Management Zones” (GWMZ). Groundwater Management Zone refers to areas delineated in Suffolk County by the “Long Island Comprehensive Waste Treatment Management Plan (L.I. 208 Study), as revised by the “Long Island Groundwater Management Plan”, and subsequent revisions adopted by the Suffolk County Board of Health. The subject site lies within Groundwater Management Zone IV (see Figure 7).

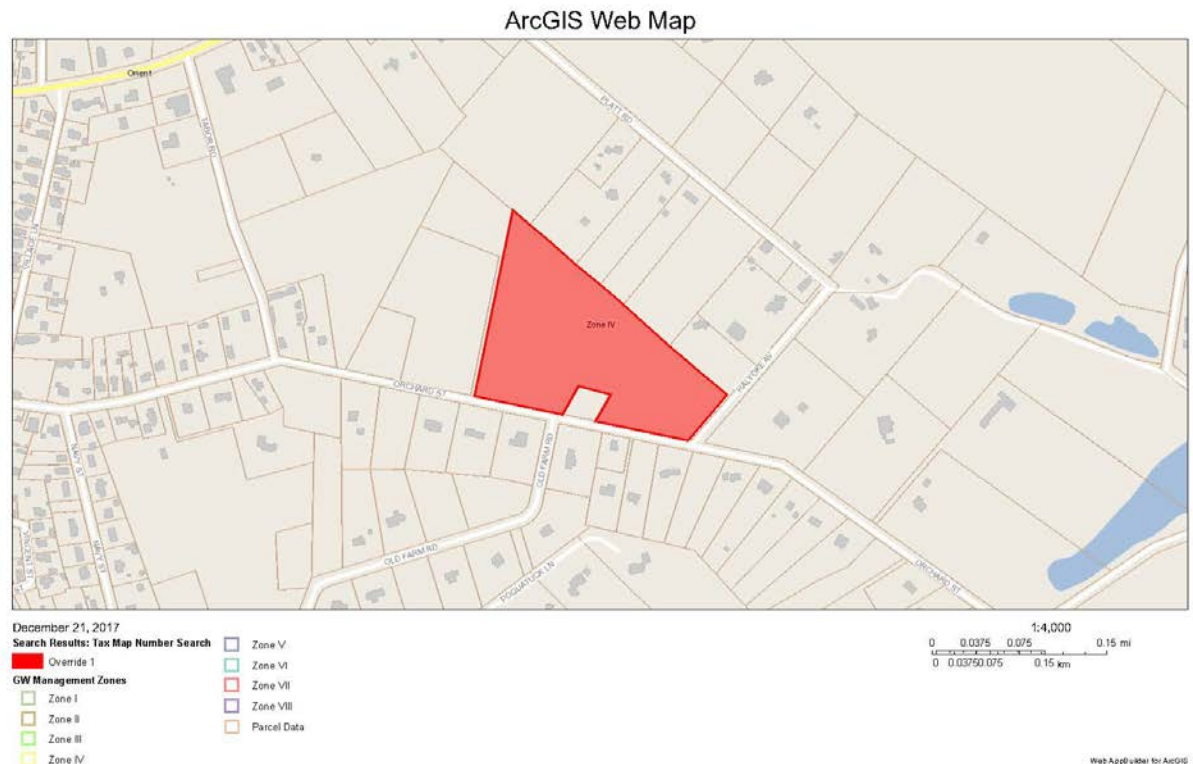


Figure 7 - SC GIS Tax Map With Groundwater Management Zones

The subject site is not served by a community water supply. A potential impact from the project would be depletion of the groundwater supply lying beneath the subject property. This potential impact is discussed below.

Based on SCDHS design criteria, each single family home is anticipated to discharge 300 gallons per day of wastewater (sanitary and greywater from laundry, kitchen, etc.) (Suffolk County Department of Health Services Division of Environmental Quality 2017). Within GWMZ IV, the minimum size parcel for construction of a single family residential home without public water is 40,000 square feet (Suffolk County Department of Health Services Division of Environmental Quality 2017). Based on the subject property size of 13.3± acres, Suffolk County Wastewater Management could potentially allow as many as 13 single family residential homes to be constructed on the subject property. A potential impact of the project is an increase in contaminants, in particular nitrates, in the groundwater lying beneath the subject property. This potential impact is discussed below.

Potable Water Supply-

A public water supply is unavailable for the subject property. As such, private wells must be installed for each of the proposed parcels. In accordance with the requirements of the SCDHS, on September 30, 2015 two potable water supply test wells were installed on the subject property. The well driller's certification is included in Appendix J. Each well extended to a depth of 46 feet. The location of the test wells is depicted on the subdivision map (see Appendix G). Test well #1 is located on proposed lot #1, at the extreme northwest corner of the subject property. Test well #2 is located on proposed lot #2 along the northerly property line of the subject property, approximately mid-width of the subject property. On November 17, 2015 the test wells were sampled by the Suffolk County Department of Health Services for the purpose of determining the suitability of the groundwater underlying the site for use as potable water. The SCDHS issued a report dated February 29, 2016 (see Appendix K) stating the groundwater underlying the subject property satisfied the criteria of the New York State Department of Health Standards for use as drinking water and was determined to be suitable for potable use. However, the test well depths were inadequate to provide the minimum 40 feet of water within each well as required by the SCDHS (Suffolk County Department of Health Services 1992), resulting in the SCDHS issuing a Notice of Incomplete application dated April 13, 2016 (see Appendix L). Failure to provide 40 feet of water within the test well results in a SCDHS imposed restriction limiting development to one residential dwelling per two acres, or the need to obtain a variance from the SCDHS Board of Review.

Since development of one dwelling per two acres was not intended, and the Applicant did not wish to seek a variance from the SCDHS Board of Review to modify this requirement, the Applicant had the two original water supply test wells re-drilled to provide the required 40 feet of water within each well casing. On June 3, 2017 both test wells were re-drilled to a depth of 65 feet (see Appendix M for test well driller's logs). The depth to groundwater at the time of drilling was determined to be fourteen feet (14'). On August 17, 2017 the test wells were sampled by the Suffolk County Department of Health Services for the purpose of determining the suitability of the groundwater underlying the site for use as potable water. The SCDHS issued a report dated January 19, 2018 (see Appendix N). The sampling revealed the water in test well #1 exceeded the Suffolk County test well standard of 6 mg/l of nitrates, but did not exceed the Maximum Contaminant Level (MCL) permitted by Part 5 of the New York State Sanitary Code (The State of New York 2018). The water in test well #2 exceeded the MCL for nitrates, Aldicarb Sulfoxide and Aldicarb Sulfone. Each of these contaminants are commonly found in the groundwater surrounding the subject property and are most likely attributable to the former use of the subject property, and surrounding properties, as farmland.

Due to the test well sampling results, the Applicant filed for a variance from the SCDHS Board of Review to seek permission to develop the proposed five residential lot subdivision with private water supply wells. The application included an engineering design plan depicting the location of the proposed sanitary systems and potable water supply wells for

each of the proposed residential homes (see Appendix G). On December 17, 2019 the SCDHS Board of Review approved the Applicant's variance request (see Appendix H). Each dwelling shall be equipped with a potable water treatment system to reduce the concentration of the target compounds to below the MCL. The Aldicarb treatment removal devices are free to the homeowners in Orient and are funded by the SCDHS through Bayer Scientific. The construction of the five residential homes, and associated water treatment systems, shall have a positive impact on groundwater quality as each treatment system shall remove the Aldicarb contaminants from the groundwater supply. Based on SCDHS approval of the variance, which includes the engineering design layout for the proposed sanitary system and potable water supply well for each proposed residential home, no significant impact to the groundwater quality or quantity is anticipated. SCDHS approval would not have been issued had the SCDHS review identified a significant impact.

Preservation of farmland is a significant priority within the Town of Southold. With preservation of farmland comes the need to apply fertilizer to grow and maintain crops (United States Geological Survey n.d.). An undesired impact resulting from the need to fertilize the farmland is the introduction of nitrogen, typically in the form of nitrates, into the groundwater. Run-off of fertilizers is the most common source of nitrate contamination in drinking water (The Groundwater Foundation 2020). As indicated by the SCDHS groundwater sampling data (see Appendix N), the groundwater underlying the subject site has elevated concentrations of nitrates. In order to minimize the amount of nitrates being created by the use of fertilizer, the subject property farmland intends to implement best management practices. Two potential practices identified by the Cornell Cooperative Extension Agricultural Stewardship program are application of a controlled release nitrogen fertilizer, or use of smaller quantities of traditional nitrogen fertilizer applied in multiple applications (i.e. Spring, Summer and if necessary Fall) (Cornell Cooperative Extension 2020). Through these practices, the amount of nitrates added to the groundwater supply shall be minimized. The use of pesticides and herbicides shall likewise be strictly controlled using Best Management Practices so as to provide the productive farmland desired by the Town of Southold, while minimizing farm operational expenses and mitigating potential impacts to the groundwater. Based on the Town's desire to continue active agricultural production on the subject property, and the implementation of Best Management Practices, no significant impact to groundwater quality is anticipated.

Irrigation Water Supply-

In anticipation of using proposed Lot #1 for farming purposes, the Applicant obtained permission from the New York State Department of Environmental Conservation to install an irrigation well (see Appendix O). The irrigation well permit is valid through June 28, 2027. The irrigation well is located on the extreme westerly side of the subject property and is depicted in Appendix G. The NYSDEC permit allows the well to be drilled to a depth of forty five feet (45'), produce a maximum flow rate of one hundred seventy five (175) gallons per minute, with maximum annual production of four million (4,000,000)

gallons of water. In order to monitor for chloride intrusion, the well must be sampled in June and October of each year (beginning and end of irrigation season) by a New York State ELAP certified laboratory. The results of the yearly testing must be reported to the NYSDEC along with a graph of the chloride concentrations collected to date. The quantity of irrigation water required for the crop field is highly variable. Irrigation water demand is dependent on many factors including, but not limited to, soil texture, rainfall, evapotranspiration rate, type of crop being grown, and the time of the growing season (i.e. each crop has a critical period of growth where lack of water shall seriously impact the yield and/or quality of the crop) (United States Department of Agriculture Natural Resources Conservation Service 1997). It is anticipated that the irrigation water demand shall not exceed the maximum pumping allowance of the NYSDEC permit. No significant impact is anticipated to the groundwater supply and approval was received for an irrigation well permit from the NYSDEC.

Surface and Groundwater Quality-

There is no surface water within 1,500 feet of the subject property.

According to the SCDHS Division of Environmental Quality³ (see Appendix H), groundwater beneath the subject property flows in a southeast direction towards Long Beach Bay. The subject property is located within the 10 to 25 year contributing area to this surface water body.

The potential lot yield for the subject property, based on Article 6 of the Suffolk County Sanitary Code, is thirteen (13) parcels (see Appendix H), which represents thirteen (13) single family homes. A primary purpose of Article 6 is to protect water quality (Suffolk County Department of Health Services 2018). The impact of thirteen single family homes discharging wastewater to the subject property is therefore deemed acceptable by the SCDHS with regard to potential impacts to surface and groundwater quality from the wastewater discharge.

The proposed project is limited to constructing only five (5) single family residential homes. The potential impact of five single family residential homes is significantly less than the potential impact of thirteen single family homes. The nitrogen load from the proposed five single family homes is not anticipated to significantly impact surface or groundwater as it represents only 38% of the volume of wastewater permitted to be discharged by the SCDHS regulation intended to protect water quality.

³ Using groundwater contributing areas and source water assessment maps prepared by Camp Dresser McKee in 2009

3.3 Air

The proposed project is limited to construction of five (5) new residential homes and returning a portion of the subject property to active farmland use. Neither use is anticipated to have a significant impact on the air quality.

During the period of construction, heavy equipment shall be required to grade the land, perform the excavations, and transport materials. The exhaust from the equipment shall discharge various contaminants to the air including, but not limited to carbon monoxide, sulfur dioxide, nitrogen oxides, and hydrocarbons (NETT Technologies Inc. 2020). A potential impact of the project is an increase in air borne contaminants. Air emissions from the construction equipment is subject to regulations (United States Environmental Protection Agency 2018). Given the extremely limited scope and time duration of construction, and emission limitations placed on the equipment, air contaminant emissions from the construction related equipment is not anticipated to create a significant negative impact.

3.4 Vegetation

As part of the SEQRA coordinated review, the Town of Southold issued a letter dated February 13, 2015 to the New York State Department of Environmental Conservation (NYSDEC) seeking any comments or requirements they may have pertaining to the proposed project (see Appendix V). The Town's electronic DEIS file reviewed May 5, 2020 shows no comments or response from the NYSDEC. A potential impact from the project would be disturbance of significant vegetation.

Based on the New York State Department of Environmental Conservation Environmental Resource Mapper⁴, no significant natural communities exist on the subject property. The subject property currently supports Terrestrial Open Upland communities (Carol Reschke 2014). The two communities present are Successional Shrubland and Successional Old Field. Both have developed since agricultural activities were terminated in the early 2000's. The proposed project shall require removal of the existing vegetation. Since no species of flora or fauna were identified as rare, threatened or endangered by the NYSDEC's Natural Heritage Program via the Resource Mapper, the removal of the existing habitat is not anticipated to have a significant negative impact.

The proposed project shall result in creation of a multitude of Terrestrial Cultural Communities (Carol Reschke 2014). The communities created by the project are:

- Cropland/Row Crops
- Mowed Lawn with Trees

⁴ Available online at gisservices.dec.ny.gov/gis/erm/. Accessed May 2, 2020

- Mowed Lawn
- Unpaved Road/Path
- Paved Road/Path
- Urban Structure Exterior
- Rural Structure Exterior
- Interior of barn/Agricultural Building
- Interior of Non-Agricultural Building

The project shall return approximately 7.98 acres (60% of the subject property) of fallow agricultural land to productive farmland. As presently planned, corn is intended to be the crop of choice. In addition to the open space provided by the farmland, the residentially developed parcels shall provide approximately 4.2 acres of additional open space, the majority of which shall consist of natural vegetation, trees, bushes, lawns, and landscape plantings. Thus, more than 90% of the subject property shall be vegetated open space. The creation of the Terrestrial Cultural Communities mitigates disturbance of the existing vegetated communities.

3.5 Wildlife

As part of the SEQRA coordinated review, the Town of Southold issued a letter dated February 13, 2015 to the New York State Department of Environmental Conservation (NYSDEC) seeking any comments or requirements they may have pertaining to the proposed project (see Appendix V). The Town's electronic DEIS file reviewed May 5, 2020 shows no comments or response from the NYSDEC. A potential impact of the project is disturbance of protected habitats or species.

Based on the New York State Department of Environmental Conservation Environmental Resource Mapper⁵, the property does not serve as a habitat for any rare or protected species.

The Successional Shrubland and Successional Old Field communities existing on site are anticipated to serve wildlife that have adapted to these habitats (such as the rabbit, blue jay and eastern gray squirrel). During clearing and construction, it is expected that some portion of the wildlife species, i.e. juvenile or less mobile animals, present on the site shall be impacted. However, the majority of species present are anticipated to move into the abutting surrounding areas that provide the same habitat conditions including, but not limited to, the large undeveloped open space that abuts the subject property along the entire western boundary and a portion of the northerly boundary. Upon completion of the project, it is anticipated the species currently present shall re-colonize the subject property as the vegetation and trees mature.

⁵ Available online at gisservices.dec.ny.gov/gis/erm/. Accessed May 2, 2020

4.0 Human Resources

4.1 Land Use and Zoning

Zoning-

The subject property is zoned R80 by the Town of Southold. The subdivision will consist of five lots as follows:

Lot 1 - 9.3356 acres (7.983 Open Space & 1.3526 acres Buildable)

Lot 2 – 0.987 acres

Lot 3 – 1.143 acres

Lot 4 – 0.9184 acres

Lot 5 – 0.918 acres

Lot 1 shall be used for construction of a single family residential home, construction of an agricultural barn, and agriculture. Lots 2 through 5 shall be used for construction of single family residential homes. A plat dated June 15, 2013 was developed to illustrate the proposed subdivision (see Appendix P). As illustrated on the plat, the subdivision was envisioned as a standard subdivision with lots 2 through 5 lying along the northerly property line of the subject property. The lots were to be accessed by a new roadway constructed on the subject property. This arrangement of proposed lots resulted in approximately 62% of the total northerly property line length of the subject property being occupied by the proposed lots. The Town Planning Board issued conditional sketch approval March 11, 2014 (see Appendix Q). The Town Planning Board deemed the preliminary plat application complete on February 11, 2015 (see Appendix R).

Through collaboration with the Town staff during work sessions, the Applicant modified the proposed subdivision layout to maximize open space and minimize impacts to view sheds and to allow farming to take place in an efficient manner. This collaborative effort resulted in creation of a clustered subdivision layout (see Appendix B) as permitted by section 240-42 of the Town Code, and as encouraged in the Town of Southold Comprehensive Plan. A minimum of 60% of the subdivision is open space (as required by section 240-42.H.(1) of the Town Code). Planning Board public hearings for consideration of the preliminary plat application were held April 6, 2015 and May 4, 2015. The Planning Board hearing was closed May 4, 2015. The Town requested the Applicant agree to extend the time for action on the proposed subdivision applications, which was agreed to. On July 6, 2015 the Town Planning Board issued a SEQRA Positive Declaration (see Appendix A).

Comment 5 of the SERQ Positive Declaration states "...the building envelope setbacks on lots 2-4 appear to be incorrect". In response to that comment, an evaluation of the building envelopes as set forth by the surveyor on the preliminary subdivision map was performed. It was determined that the building envelope setbacks were incorrect. A revised subdivision map illustrating the correct building envelopes was prepared by Lahti Engineering (see Appendix Y). Since the majority of the proposed cluster subdivision lot sizes are consistent with the R-40 zoning district, the building envelope setbacks used for the updated map (see Appendix Y) are applicable to the R-40 zoning district. Section 240-42.A of the Town Zoning Ordinance empowers the Planning Board to modify applicable provisions of Chapter 280, Zoning, as to layout, configuration and design of lots.

Land Use-

The subject property is located within an Agricultural District. A potential impact of the project is loss of agricultural land. However, the subject property has been fallow since the early 2000's. No crops have been grown and the land is unproductive. In order to return a portion of the subject property to being a productive agricultural asset, the Applicant intends on constructing five single family residential homes on a portion of the property. Specifically, 7.98 acres of the property (i.e. 60% of the total land area) shall be dedicated to open space. The open space is intended to be used for the growing of crops. Returning the majority of the subject property area to productive farmland is consistent with the NY Department of Agriculture and Markets goal of utilizing highly productive soil to provide crops (New York State Department of Agriculture and Markets 2017).

The remaining 40% of the subject property, while not used for agricultural purposes, shall largely be utilized to grow bushes, trees, grass, planted landscaping and other native vegetation. The vegetation serves a critical role in stabilizing the soil to mitigate erosion. In addition, the vegetation utilizes the environmental nitrogen that falls upon the land in the form of rainwater before the nitrogen leaches into the subsurface and converts to nitrates, an undesirable contaminant in the groundwater supply. The vegetation also serves to convert carbon dioxide to oxygen, providing a further benefit to the environment. So while the highly productive soil may not be utilized for crop growing, it shall serve to provide several environmentally beneficial functions by providing enhanced conditions for alternate vegetation growth. While there shall be some disturbance of the productive soil for the purpose of constructing the five residential homes and associated hardscape areas, the soil shall not be lost or destroyed. It shall simply be re-distributed across the remainder of the subject property.

Town of Southold Local Waterfront Revitalization Program (LWRP)-

On June 21, 2011 the Town of Southold adopted an amended Local Waterfront Revitalization Program (LWRP) (Town of Southold 2004). The subject property lies within Reach 5 of the areas defined within the LWRP. Policy 12 of the LWRP contains policies

directed at preserving upland agricultural lands. As identified in the SEQRA Positive Declaration (see Appendix A), the scope of the proposed project may contain elements that may be contrary to the policy goals identified in the LWRP.

The first policy of concern is contained in section 12.1 of the LWRP, as paraphrased in the SEQRA Positive Declaration, “Protect agricultural lands from conversion to other land uses”. The proposed project proposes conversion of approximately 40% of the subject property area to non-agricultural use. However, it is critical to view this conversion in the context of the Town agricultural lands as a whole. First, it is crucial to note the project shall result in 60% of the subject property area being permanently protected as open space intended for agricultural use. This permanent protection of agricultural land is consistent with the policy goal of the LWRP. Second, in its current condition, the subject property exists as fallow agricultural land. It is over-grown with shrubs and weeds, providing no benefit to its potential use as productive agricultural land. The proposed project shall return approximately 60% of the subject property to productive agricultural use. Third, the land area proposed for conversion to non-agricultural use is only approximately 5.3 acres. Of the 5.3 acres, approximately 4.2 acres shall be used for growing native vegetation, turf grass, bushes, trees, and landscape plantings. The Town of Southold has approximately 10,000 acres of agricultural land⁶. The amount of land proposed for conversion to a non-agricultural use represents only approximate 0.05% of the agricultural land area in the Town of Southold, which represents an extremely small percentage of the total agricultural land area.

The second policy of concern is contained in section 12.3 of the LWRP, as paraphrased in the SEQRA Positive Declaration, “Minimize adverse impacts on agriculture from unavoidable conversion of agricultural land”. The LWRP states “Where farmland is converted to residential or other non-agricultural use, the adverse impacts of that change on the remaining agricultural land should be minimized. To the extent possible, clustering and other techniques should be utilized to retain sufficient land suitable for agricultural opportunities within the new development area.” The proposed preliminary subdivision plat sketch approved by the Town Planning Board (see Appendix P) envisioned a standard subdivision served by a roadway built within the confines of the subject property. The proposed residential home lots were aligned along the northerly property line of the tract. This arrangement and proposed internal roadway created discontinuity between the two open space areas intended for agricultural purposes. In addition, the proposed internal roadway consumed land area that could otherwise be productive farmland and would make the farming of the agricultural land less efficient. In order to be consistent with the policy goal of the LWRP, the Applicant reconfigured the proposed subdivision into a clustered arrangement (see Appendix B). Proposed lots 2 through 5 intended for residential home construction are clustered on the east side of the subject property. Access to the residential homes on proposed lots 2 and 3 utilize a shared driveways whose length and width are minimized to maximize the amount of land area left for open space and agricultural use.

⁶ As stated in the LWRP Policy 12

The subject property remaining as open space intended for agricultural use is now consolidated into one large continuous area, no longer disjointed. The proposed project layout is now consistent with section 12.3 of the LWRP.

A further benefit of the clustered development is preservation of the scenic qualities of the subject property. As originally envisioned (see Appendix P), the residential building lots 2 through 5 in the standard subdivision layout spanned along the northerly property line from the easterly property line to a point approximately 801 feet west of the northeast corner of the subject property. The presence of residential homes across this wide expanse effected the view shed from the existing residential property located to the north of the subject property, as well as from Orchard Street. The clustered standard subdivision consolidates the proposed residential home construction parcels 2 through 5 on the easterly side of the subject property. The residential lots now span along the northerly property line only approximately 516 feet west of the northeast corner of the subject property, which is a reduction of 35% from the standard subdivision. This mitigates the impact to the view shed from the existing residential home located north of the subject property, as well as from Orchard Street. The existing view shed of the subject property as viewed from Orchard Street is interrupted by an existing two story home located at 2605 Orchard Street (Suffolk County tax parcel District 1000 Section 27 Block 1 Lot 4). The existing residential home is developed on a parcel approximately 0.48 acres in size, which is less than half the size of the smallest proposed parcel on the subject property. The existing two story residential home is located approximately midway between the far-east and far-west ends of the subject parcel frontage along Orchard Street. Proposed lots 2 through 5 on the subject property shall all be located east of the existing residential home, thereby provide a wide view shed of open space/farmland from Orchard Street for the entire west side of the subject property and contiguous to another conservation easement also to the West. The only proposed structures on the west side of the subject property are a single family residential house to be located at the extreme northwest corner of proposed lot number 1, and an agricultural barn located along the northerly property line of proposed lot number 1.

The clustering of proposed lots 2 through 5 mitigates the need to traverse agricultural lands for the purpose of serving the proposed residential homes and provides for much more efficiency in managing the farmland. The utilities and access driveways for proposed lots 2 through 5 shall not traverse any of the proposed open space/farmland. The proposed access driveway and utility services for the residential home for proposed lot 1 shall be provided along the westerly property line of the tract, thereby avoiding the need to cross any agricultural lands.

Development of the residential homes on proposed lots 2 through 5 shall require the use of heavy machinery to excavate the foundations, sanitary systems, and stormwater leaching pools. Since these lots are clustered on the east side of the subject property, heavy machinery can access the parcels without the need to cross agricultural lands, thereby avoiding compaction of agricultural soils. Development of the residential home on

proposed lot 1 can likewise be accomplished without compacting the soils intended for agricultural purposes. Proposed lot 1 has direct access from Orchard Street via a driveway. All heavy equipment and supplies necessary for construction of the home can traverse the subject property from Orchard Street to the construction site via the proposed access driveway route. Each of the proposed residential home parcels shall include grass lawn areas. The soils compacted during the home construction phase of the project shall ultimately be disturbed during the final grading and planting/installation of the lawn areas, thereby minimizing any impact associated with compaction of the soils during the home construction process. The remaining portion of the property that shall be utilized as open space agricultural land shall require tilling and preparation to remove the existing shrubs and brush that have developed as the land laid fallow since the early 2000's. This preparation process shall reduce the amount of soil compaction that has occurred since the time it was active farmland, and any compaction that may result from development of the property.

Southold Town Farm and Farmland Protection Strategy (2000)-

The Town of Southold issued a document titled "Southold Town Farm and Farmland Protection Strategy" dated January 2000 (Town of Southold, Peconic Land Trust 2000). The document sets forth two goals⁷. The first goal is to preserve land suitable for farming. The second goal is to ensure farming remains an important part of the local economy.

The subject property is identified as "Unprotected land in agricultural use" on the Farm and Farmland Protection Strategy map (Figure 8).

⁷ Southold Town Farm and Farmland Protection Strategy, pages 1 and 2

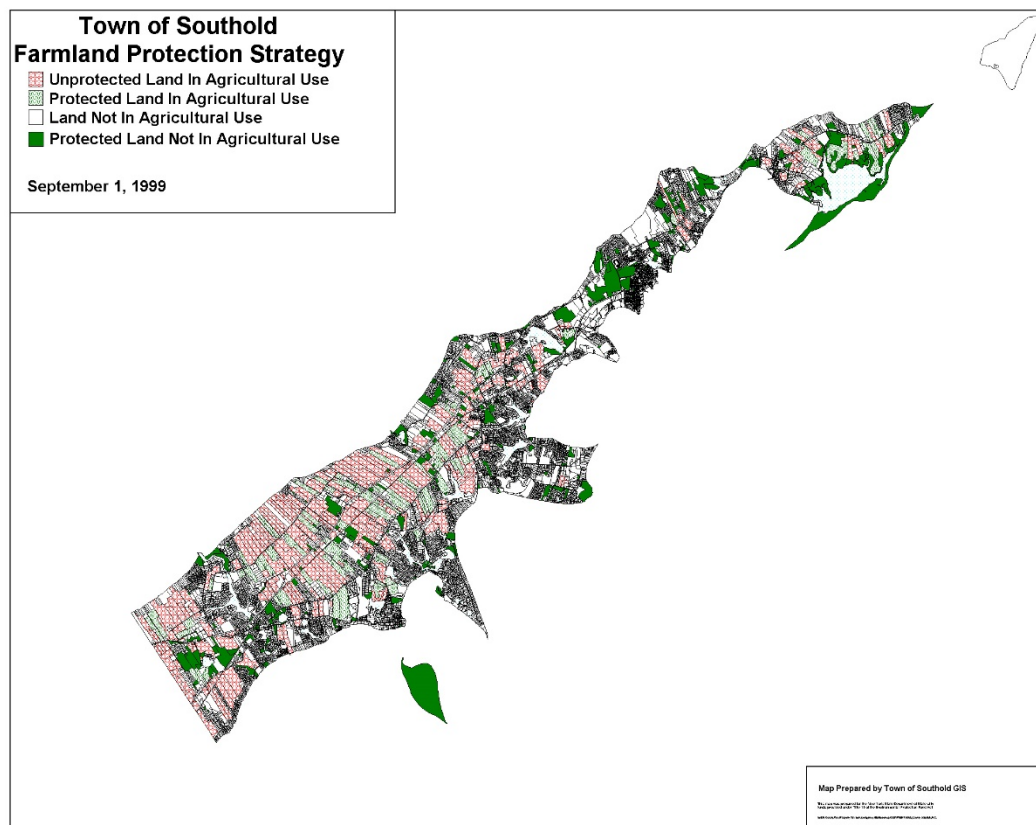


Figure 8 – Southold Town Farm and Farmland Protection Strategy Map

The property inventory list presented within the document indicates the subject property was used for growing rye grain.

The proposed project is consistent with the goals of the Strategy, and incorporates several of the strategies encouraged to meet the goals:

- Clustered subdivisions⁸ - The proposed project is a clustered standard subdivision. The use of clustered subdivisions to maximize retainage of farmland is encouraged.
- Conservation Easement⁹ - The proposed project includes use of a Conservation Easement to protect 60% of the total land area of the subject property.
- Limited Development¹⁰ - More than 90% of the 13.3 acre subject property shall be open space in the form of agricultural fields, native vegetation, turf grass, and landscape plantings.

⁸ Southold Town Farm and Farmland Protection Strategy, page 26

⁹ Southold Town Farm and Farmland Protection Strategy, page 30

¹⁰ Southold Town Farm and Farmland Protection Strategy, page 33

Community Preservation Project Plan (2016)-

The Town of Southold issued a document titled “Town of Southold Community Preservation Project Plan” updated in July 2016 (Town of Southold 2016). One of the goals of the plan is preservation of farmland and open space¹¹. The Plan seeks to retain 80% of all agricultural land within the Town as farmland. In addition, the Plan seeks to design farmland subdivisions to enhance agriculture. The proposed project embraces those goals.

The proposed subdivision has been designed as a clustered standard subdivision (see Appendix B). 60% of the total subject property area is being retained as one large regularly shaped open space to be used for agricultural purposes. The agricultural portion of the subject property is located on the western half of the tract and is immediately adjacent to a large tract of land that is protected by an open space easement (Guadagno subdivision-SCTM#1000-27-1-2). The combination of the open space on the subject property (approximately 8 acres) and existing open space on the Guadagno property (6 acres) provides a very substantial view shed from Orchard Street, as well as a large contiguous open space together totaling approximately 14 acres.

4.2 Transportation and Traffic

The subject property is bordered by Orchard Street along its southerly property line. The proposed project shall result in construction of five single family residential homes, all of which shall have access from Orchard Street. Access from Halyoake Avenue is not possible as a strip of land, approximately seventeen feet wide, owned by an adjacent property owner, separates the subject property and Halyoake Avenue. Proposed lot 1 shall have a driveway located at the extreme westerly boundary of the subject property. Proposed lots 2 and 3 shall have a common driveway located approximately 245 feet west of the intersection of Orchard Street and Halyoake Avenue. All proposed driveways shall intersect Orchard Street in a perpendicular fashion, thus providing the optimum sight visibility line when exiting onto Orchard Street. A significant increase in traffic is a potential impact of the project.

Single family detached residential homes are considered Land Use 210 in the Institute of Transportation Engineers Trip Generation Manual, 9th edition (Institute of Transportation Engineers 2012). Based on the data presented in the Trip Generation Manual, the average number of vehicle trips ends generated by the proposed dwelling units during the A.M. peak hour is 0.77 per dwelling unit. The average number of trip ends generated by the proposed dwelling units during the P.M. peak hour is 1.02 per dwelling unit. Based on this

¹¹ Town of Southold Community Preservation Project Plan updated July 2016, page 10

data, the average number of trip ends generated by the proposed dwelling units is anticipated to be six (6) during both the A.M. and P.M. peak hours. No significant impact is anticipated from these “new” trip ends as Orchard Street is a paved public right-of-way with low existing traffic volume.

Parking for homeowner vehicles shall be provided on-site. No on-street parking is proposed.

4.3 Public Health and Safety/Community Services

School District-

A significant increase in the number of children being serviced by the public school district is a potential impact of the project. The subject property is served by the Oysterponds Union Free School District. The school district provides public education for grade levels pre-K through 12th grade¹². Based on New York State Department of Education expenditure ratios for fiscal year 2017-2018 (New York State Education Department n.d.), the total expenditures per pupil was \$35,004. Based on U.S. Census Data (see Appendix W), the average number of persons per household in the Township of Southold is 2.3. Assuming each of the proposed dwellings is a two parent household and the house is a year-round residence, the number of potential school age children requiring public education attributable to the proposed dwellings is estimated at less than two (calculated as 0.3 children per household x 5 households). However, these children may already be served by the Oysterponds U.F.S.D. and therefore represent no additional burden on the school district as they are simply relocating from their present home to the newly constructed home or are seasonal residents.

If, however, the two children are being added to the school district, the school district shall incur additional expenses for their education. The total yearly additional expense associated with the two children is estimated to be \$70,008¹³. However, this added cost to the school district shall be partially offset by the school district taxes being paid by the property owners of the five proposed parcels within the subdivision. An estimate of the assessed value for each of the proposed lots, as developed, was requested from the Town of Southold Tax Assessor’s office. The amount of school district tax estimated to be payable by the proposed lots is as follows (see Appendix X):

- Lot 1: \$4,745.11
- Lot 2: \$4,300.26
- Lot 3: \$4,337.33
- Lot 4: \$4,300.26

¹² Actual instruction for grade levels 7 through 12 is provided by Greenport U.F.S.D., but the financial responsibility is Oysterponds U.F.S.D.

¹³ Based on the most recent fiscal data reported to the New York State Education Department

- Lot 5: \$4,300.26

Based on the Town Tax Assessor's estimation, the cumulative yearly school district tax being paid by the proposed five parcel owners is \$21,983.22. Based on the number of children from the proposed subdivision anticipated to be served by the public school district, the new property tax revenue generated, and supplemental State and Federal school aid, no significant impact is anticipated.

Police Department-

The subject property is serviced by the Town of Southold Police Department. The requirement for a significant amount of increased service by the Police Department is a potential impact of the project. The proposed number of single family homes is limited to five. This represents an extremely small increase in the total number of households already serviced by the Town of Southold Police Department (Suburban Stats 2019). As such, assuming the number of calls to the Police Department is proportional to the number of homes served, potential "new" calls to the Police Department from the new homes is likewise extremely small. No significant impact to police services is anticipated. Construction of the proposed homes shall provide additional tax revenue to help offset any additional cost associated with providing service to the proposed homes.

Fire Department-

The subject property is serviced by the Orient Fire District. The Fire District provides fire-fighting, rescue and ambulance service. A potential impact of the project is a significant increase in the need for fire department services. As part of the SEQRA process, the Town of Southold requested comments on the proposed project from the Orient Fire District (see Appendix S). Based on a review of the Town's electronic subdivision file on May 4, 2020, no comments were received from the Orient Fire District. Each of the proposed homes shall have direct access for fire-fighting equipment from Orchard Street. Due to the limited number of homes proposed, it is anticipated the existing fire district resources are adequate to provide services for the proposed homes. Construction of the proposed homes shall provide additional tax revenue to help offset any additional cost associated with providing service to the proposed homes. No significant impact is anticipated.

4.4 Aesthetic and Open Space

The existing subject property has been fallow since the early 2000's. Vegetation consistent with Successional Shrubland and Successional Old Field Communities has developed (Carol Reschke 2014). Potential impacts of the project include a loss of aesthetics and/or open space.

The vegetative growth around the perimeter of the subject property has grown to a height and thickness where the property has become virtually un-viewable from outside the perimeter of the property. There is no open space providing scenic vistas as the thick, tall wall of brush prevents persons at ground level, or traveling along Orchard Street from seeing into the core of the property. The Applicant has no control over the seventeen foot wide strip of land lying between the easterly property line of the subject property and Halyoake Avenue. A thick, tall wall of brush exists within the seventeen foot wide strip of land not owned by the Applicant which prevents persons at ground level on Halyoake Avenue from seeing into the core of the subject property. If the brush is removed from the seventeen foot wide strip of land bordering Halyoake Avenue, view sheds from Halyoake Avenue shall be possible as described herein. Photographs taken April 2020¹⁴ (see Appendix T) demonstrate the lack of aesthetic value and open space as the subject property currently exists.

The proposed project shall provide aesthetically pleasing views of the open space and active farmland. The project shall permanently protect approximately 7.98 acres (60% of the subject property) as open space via a Conservation Easement (see Appendix D for sample language). This acreage shall be returned to productive farmland for the growing of crops. In addition to the open space provided by the farmland, the residentially developed parcels shall provide approximately 4.2 acres of additional open space consisting of trees, bushes, landscaping, mowed lawns, unpaved road/path, and paved road/path. Thus, more than 90% of the subject property shall remain as open space and serve as a view shed, and as viewed with the neighboring conservation easement to the west, will provide approximately 14 acres of open space as a view shed.

Each of the five proposed lots shall be improved with a single family residential dwelling. The specific size, location and characteristics of the proposed dwellings has not been determined. However, each dwelling shall be constructed in conformity with the Bulk Schedule for Residential Districts as contained within the Town Zoning Code, as may be modified by the Town Planning Board for cluster development. A primary purpose of the Bulk Schedule for Residential Districts is to ensure properties are developed in a manner that provides the appropriate amount of open space between building lots with appropriately sized buildings. Thus, the size and location of the proposed homes are limited. Appendix G illustrates the anticipated general location for each of the five dwellings.

The setbacks from Orchard Street, the easterly property line, and the northerly property line are summarized as follows:

- The location of the dwelling on lot 1 is at the extreme northwest corner of the subject property.

¹⁴ The photograph legend in Appendix T is an aerial view from Google Earth dated September 19, 2019. The photographs within the Appendix were taken April 2020.

- The location of the dwellings on proposed lots 2 and 3 from the north property line shall be in excess of fifty feet (50') which conforms to the minimum requirements of the Town Zoning Code for the R-40 district.
- The location of the dwellings on proposed lots 3 and 5 from the easterly property line shall likely be approximately one hundred forty five feet (145') or more. This is consistent with several of the homes located on Halyoake Avenue in the immediate vicinity of the subject property.
- The location of the dwellings on proposed lots 4 and 5 from Orchard Street shall likely be approximately ninety five feet (95') and one hundred fifty feet (150') respectively. This far exceeds the setback of the existing dwelling located at 2605 Orchard Street (Suffolk County tax map number 1000-27-1-4) which lies in the center of the subject property frontage along Orchard Street. In addition, the proposed dwelling setbacks exceed, or are consistent with, the existing homes located on Orchard Street directly across from the subject property.

Based on the proposed dwelling locations, the proposed dwellings are consistent with the homes in the immediate vicinity of the project.

View sheds¹⁵ from Orchard Street, as they relate to the proposed dwellings, are summarized as follows:

- The location of the dwelling on lot 1 is at the extreme northwest corner of the subject property. There is no appreciable impact to the view shed from Orchard Street for the entire westerly half of the subject property.
- The location of the proposed dwellings on lots 2 and 4 are generally aligned with each other (with respect to the east-west position). This creates a view shed of approximately one hundred feet (100') wide between the west side of the proposed dwellings and the existing dwelling located at 2605 Orchard Street. Likewise, a view shed of approximately one hundred feet (100') wide exists between the east side of the proposed dwellings and the proposed dwelling on lot 5.
- The location of the proposed dwellings on lots 3 and 5 provide a view shed of approximately one hundred forty feet (140') between the east side of the dwellings and the easterly property line.

View sheds¹⁶ from Halyoake Avenue (presuming the intervening seventeen foot wide strip of land between the subject property and Halyoake Avenue is cleared of over-grown vegetation), as they relate to the proposed dwellings, are summarized as follows:

¹⁵ "View shed" as used herein refers to the width of the sight line between the dwelling structures when viewed from the public roadway at an angle perpendicular to the public roadway. In actuality, the width of the view shed is wider as the view angle from the public roadway is increased.

¹⁶ "View shed" as used herein refers to the width of the sight line between the dwelling structures when viewed from the public roadway at an angle perpendicular to the public roadway. In actuality, the width of the view shed is wider as the view angle from the public roadway is increased.

- The location of the dwelling on lot 1 is at the extreme northwest corner of the subject property. There is no appreciable impact to the view shed from Halyoake Avenue.
- The location of the proposed dwellings on lots 2 and 3, and on lots 4 and 5, are generally aligned (with respect to north-south position). This creates a view shed of at least fifty feet (50') between the north property line of the subject property and the north side of the dwellings on proposed lots 2 and 3. This also creates a view shed of approximately one hundred feet (100') wide between the south side of the dwellings on proposed lots 2 and 3, and the north side of the proposed dwellings on lots 4 and 5.
- The location of the proposed dwellings on proposed lots 4 and 5 are setback at least fifty feet (50') from the Orchard Street property line. This creates a view shed at least fifty feet (50') wide (in the north-south direction) across the subject property along Orchard Street, interrupted only by the existing dwelling located at 2605 Orchard Street.

Based on the proposed dwelling locations, a significant portion of the subject property retains open space view sheds between the houses on the east half of the property, producing no significant impact. The single proposed dwelling on the western half of the property is setback a significant distance from the public street and the easterly property line of the subject property, producing no significant impact.

The proposed project also includes planting of street trees along Orchard Street. The proposed trees shall add a significant aesthetic benefit to the Orchard Street property frontage.

Town of Southold Local Waterfront Revitalization Program (LWRP)-

On June 21, 2011 the Town of Southold adopted an amended Local Waterfront Revitalization Program (LWRP) (Town of Southold 2004). The subject property lies within Reach 5 of the areas defined within the LWRP. Policy 3 of the LWRP contains policies directed at enhancing visual quality and protecting scenic resources. As identified in the SEQRA Positive Declaration (see Appendix A), the scope of the proposed project may contain elements that may be contrary to the policy goals identified in the LWRP.

The first policy of concern is contained in section 3.1A of the LWRP, as paraphrased in the SEQRA Positive Declaration, "Minimize introduction of structural design components (including utility lines, lighting, signage and fencing) which would be discordant with existing natural scenic components and character". The proposed project has a very limited number of structural design components. More than 90% of the subject property shall be open space. Five single family residential homes are proposed. The size of the proposed homes shall comply with the limitations of the Town of Southold Schedule of Bulk

Regulations for Residential Districts, as may be modified by the Town Planning Board. Since the project is a subdivision of land, the specific characteristics of the proposed homes has not been determined. In addition to the residential homes, an agricultural barn is also proposed. It is anticipated that the barn shall have the visual characteristics consistent with a traditional agricultural barn. Since the proposed farmland is limited in size, it is anticipated the agricultural barn shall also be limited in size commensurate with the limited equipment and supplies required to farm the subject property (anticipated to be approximately 4,000 SF in size). Utility service lines on the public right-of-ways are overhead. It is anticipated the electric, telephone and cablevision services to each of the dwellings shall be installed from the utility poles to the dwellings underground, subject to approval by the utility companies. Exterior lighting is anticipated to be limited to small scale lights mounted on the homes, or free standing poles, to provide sufficient light for safety and security of the dwelling occupants. Exterior signage is not anticipated for the proposed project. The location of the proposed dwellings on proposed lots 4 and 5 are setback at least fifty feet (50') from the Orchard Street property line. This creates a view shed of at least fifty feet (50') wide (in the north-south direction) across the subject property along Orchard Street, interrupted only by the existing dwelling located at 2605 Orchard Street. The location of the proposed dwellings on lots 4 and 5 are generally aligned (with respect to north-south position). This creates a view shed of approximately one hundred feet (100') wide between the south side of the dwellings on proposed lots 2 and 3, and the north side of the proposed dwellings on lots 4 and 5. The proposed project embraces the design goals of the policy.

The second policy of concern is contained in section 3.1K of the LWRP, as paraphrased in the SEQRA Positive Declaration, "Group or orient structures during site design to preserve open space and provide visual organization". The preliminary plat sketch approved by the Town (see Appendix B) was a standard subdivision. As the project developed, the proposed subdivision lot layout was modified to be a clustered subdivision. Use of the cluster subdivision minimizes scenic impacts to the subject property while maximizing the amount and configuration of the agricultural land. As previously discussed in this section, the siting of the proposed dwellings on proposed lots 2 through 5 has been chosen to provide general visual alignment of the homes in both the north-south, and east-west orientations. This technique maximizes open view sheds and promotes visual organization. The proposed project embraces the design goals of the policy.

4.5 Archaeological

In accordance with the request of the New York Department of Parks, Recreation and Historic Preservation, a Phase I archaeological assessment was conducted on the subject property (see Appendix U). The final report was issued June 2015. A potential impact of the project is disturbance of archaeologically significant features. The assessment concluded there were no items of historical significance identified on the subject property,

and no buildings, structures, cemeteries or districts bordering the subject property eligible for historical listing. As such, no significant impact is anticipated.

5.0 REQUIRED DEIS ELEMENTS

5.1 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

The proposed project shall result in construction on irreplaceable agricultural land. The amount of agricultural land lost due to the project is estimated as follows:

- Five single family homes with a building footprint of 1,750 SF per home
- Agricultural barn with building footprint of 4,000 SF
- 10,000 SF stone blend/paved access and driveway for lot 1
- 12,000 SF stone blend/paved access and driveways for lots 2, 3, 4 and 5
- 4,000 SF stone blend in vicinity of agricultural barn
- 10,000 SF miscellaneous site improvements (allowance of 2,000 SF per proposed lot)

The total estimated agricultural land lost by the proposed construction is 1.12 acres (48,750 SF). Based on the total property area of 13.3025 acres, the agricultural land lost represents only approximately 8% of the total property area. The remaining 92% of the subject property agricultural land shall be used for agricultural purposes, bushes, trees, lawn, landscape areas, and natural vegetation. In addition, the agricultural soil associated with the 8% land area shall be stock-piled and redistributed on-site, thus conserving the agriculturally significant soil.

Construction of the project shall require resources including, but not limited to concrete, steel, asphalt, lumber, floor and wall coverings and finishes. Certain phases of construction shall require the use of heavy machinery such as excavators, backhoes and brush rakes which require fuels to operate. In addition, certain phases of construction shall require the use of electricity and water.

Upon completion of construction, the completed homes shall use electricity, water, and fossil fuels for heating, cooling, lighting and everyday living. The agricultural property shall require the use of fossil fuels and water to plant, maintain, grow and harvest crops.

Proposed Mitigation-

1. As represented above, the amount of agricultural land being permanently disturbed is only approximately 8% of the entire property area. The project is utilizing a cluster subdivision design to minimize the amount of land area being disturbed.
2. The agriculturally significant soil lying within the area disturbed by construction shall be stockpiled and shall, to the extent possible, remain on-site and be used to re-grade the subject property.
3. The project includes placing an environmental conservation easement on 60% (approximately 7.98 acres) of the subject property area to protect it from future development.
4. The proposed homes will conform to the latest New York State Energy Construction Code requirements for residential uses.
5. It is anticipated the agricultural barn shall not be heated or cooled so as to minimize consumption of electricity and fossil fuels.

5.2 GROWTH INDUCING ASPECTS

The 4th edition of “The SEQR Handbook” published in 2020 by the New York State Department of Environmental Conservation (New York State Department of Environmental Conservation 2020) defines growth inducement as “Some activities [that] shall encourage or lead to further increases in population or business activity.” Consideration of growth inducement must be examined as part of the DEIS to assess potential impacts including, but not limited to, the need for water, electricity and other services beyond that which is required for the original project.

The proposed project does not have growth inducing aspects. There shall be a fixed number of single family residential homes and an agricultural field for crop growth.

5.3 USE AND CONSERVATION OF ENERGY

A potentially impact of the project is a significant increase in the use of energy, and the creation of greenhouse gases. During construction, electricity and fossil fuel shall be required. However, the magnitude of the proposed project is limited, hence the amount of electricity and fossil fuel required to complete the project shall likewise be limited.

During the initial phase of construction, heavy equipment consisting of excavators, backhoes and bull dozers shall be required. Each piece of equipment consumes fuel while the engine is running. The amount of fuel consumed is a function of many variables including, but not limited to, age of the equipment (i.e. newer equipment is more fuel efficient), efficiency of the equipment operator, load moved, and machine idle time. The equipment anticipated to be used for this project have the following estimated fuel consumption rates: excavator- 4 gallons per hour (Caterpillar n.d.); bulldozer – 3 gallons per hour (Caterpillar n.d.); backhoe – 2 gallons per hour (Michiana Tool and Party Rental 2017). It is anticipated the amount of time the heavy earth moving equipment shall be used on-site shall result in only approximately 1,500 gallons of diesel fuel being consumed.

According to the U.S. Environmental Protection Agency (United States Environmental Protection Agency 2017), greenhouse gases are composed of approximately 81% carbon dioxide, 10% methane, 7% nitrous oxide, and 3% fluorinated gases. The construction equipment shall comply with the current U.S. Environmental Protection Agency air emission discharge regulations so as to limit greenhouse gas emissions. New York State's total carbon dioxide emission in 2017 is estimated at 157.0 million metric tons (U.S. Energy Information Administration 2020). Based on the minimal consumption of diesel fuel and construction equipment air emission limits, the greenhouse gas emissions associated with the project are negligible when compared to the total carbon dioxide emission of New York State. No significant impact is anticipated.

During construction of the homes, electricity shall be required to provide power to the tools and to the partially completed homes to provide light and environmental controls necessary for the construction. The number of trades working on any given day, and the tools they are using to perform their tasks, is highly variable. However, the amount of electricity consumed on a weekly basis during the construction process shall, with a reasonable degree of certainty, be less than the amount of electricity consumed upon completion of the homes. The contractors work a limited number of hours per week, and do not continuously utilize powered equipment during their workday. In the early phase of home construction, power is typically provided by gasoline driven portable generators. The amount of greenhouse gas emissions associated with the portable generators is negligible as the number of hours the generators are used is very limited. Once temporary power is established from the utility company, electricity is provided by the utility company. Power production within New York State in 2018 included 29% from renewable sources (U.S. Energy Information Administration 2020). Power plants generating power from non-renewable sources are subject to greenhouse gas emission limitations. The amount of greenhouse gas emissions associated with the limited amount of electricity being provided during the construction phase of the project is negligible when compared to the total carbon dioxide emission of New York State. No significant impact is anticipated.

Upon completion of construction, five residential homes shall be constructed. The average amount of electricity consumed by a residential customer on Long Island in 2020 is 709 KWh per month as estimated by PSEG Long Island (PSEG Long Island 2020). Based on the number of proposed homes, the total amount of electricity consumed is estimated to be 3,545 KWh per month. The new homes shall be equipped with energy efficient equipment and appliances, including Energy Star certified appliances, thus mitigating the amount of electricity required by each household. Power production within New York State in 2018 included 29% from renewable sources (U.S. Energy Information Administration 2020) thereby eliminating emission of greenhouse gases. Power plants generating power from non-renewable sources are subject to greenhouse gas emission limitations. The amount of greenhouse gas emissions associated with the limited amount of electricity being consumed by the proposed homes is negligible when compared to the total electricity consumption in New York State. No significant impact is anticipated.

5.4 SOLID WASTE MANAGEMENT

The proposed project is construction of five single family homes. A potential impact of the project is a significant increase in the amount of solid waste created. According to 2017 data from the United States Environmental Protection Agency (United States Environmental Protection Agency 2020), 4.51 pound of solid waste was generated per person per day. According to the United States Census Bureau data for Southold Township during the period 2014 through 2018 (see Appendix W), the number of persons per household was 2.33. Based on the foregoing, it is anticipated each proposed single family residential home shall generate approximately 10.5 pounds of solid waste per day. Therefore the proposed five dwelling units shall generate approximately three hundred sixty eight pounds (368 lbs) of solid waste per week.

Each of the proposed home lots are located within the Town of Southold Solid Waste District. As such, each lot shall pay the solid waste district fee as part of their yearly tax bill to offset the cost of collection, processing and disposal of the solid waste. Transport of solid waste to the transfer facility is provided by private carting contractors and is paid directly by the homeowner. No significant impact is anticipated.

5.5 SPECIAL GROUNDWATER PROTECTION AREA

The subject site is not located within a Special Groundwater Protection Area or Critical Environmental Area identified on maps maintained by the New York State Department of Environmental Conservation (New York State Department of Environmental Conservation 1988).

The Suffolk County Department of Health Services is the primary agency responsible for protecting the groundwater and surface waters as it relates to the proposed project (Suffolk County Department of Health Services 2018). Article 6 of the Suffolk County Sanitary Code defines “Groundwater Management Zones” (GWMZ). Groundwater Management Zone refers to areas delineated in Suffolk County by the “Long Island Comprehensive Waste Treatment Management Plan (L.I. 208 Study), as revised by the “Long Island Groundwater Management Plan”, and subsequent revisions adopted by the Suffolk County Board of Health. The subject site lies within Groundwater Management Zone IV. No significant impact to the groundwater supply is anticipated, as discussed in previous sections of this document.

6.0 ALTERNATIVES

6.1 NO ACTION

Under this alternative, the subject property would remain in its present condition. The property would remain vacant. The existing vegetation would continue to develop unchecked, and eventually consume the property.

The No Action alternative would eliminate the numerous benefits provided by the proposed project as discussed throughout this report. A brief summary of the benefits that would be lost include:

1. Return fallow agricultural land to productive use
2. Permanently protect 60% of the agricultural land comprising the subject property from future development through an environmental conservation easement
3. Create new modest size residential homes to provide additional housing in the community
4. Control of vegetation to enhance scenic vistas from the abutting roadways
5. Increase the annual tax revenue (estimated to be \$50,047.76)
6. Removal of existing contaminants from the aquifer via filtration of domestic water for the proposed homes

6.2 PRESERVATION

The Preservation alternative is similar to the No Action alternative.

The Preservation alternative would eliminate benefits provided by the proposed project. A brief summary of the benefits that would be lost include:

1. Return fallow agricultural land to productive use
2. Create new modest size residential homes to provide additional housing in the community

3. Control of vegetation to enhance scenic vistas from the abutting roadways
4. Increase the annual tax revenue (estimated to be \$50,047.76)
5. Removal of contaminants from the aquifer via filtration of domestic water for the proposed homes

Given the Town conditionally approved subdivision map, and current real estate values, purchase for the purpose of preservation may not be financially feasible for the Town or any other entity seeking to do so.

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